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In re the Application of: **Toshiro OMORI et al.**

Group Art Unit: **1614**

Serial Number: **10/511,725**

Examiner: **Not yet assigned**

Filed: **October 19, 2004**

Confirmation No.: **2520**

For: **COMPOSITION OBTAINED FROM BARLEY SHOCHU STILLAGE
AND HAVING ACTIVITY OF INHIBITING ONSET OF
ALCOHOLIC HEPATOPATHY AND ACTIVITY OF HEALING IT
AS WELL AS EXCELLENT PALATABILITY, AND PROCESS FOR
PRODUCING THE SAME**

Attorney Docket Number: **042872**
Customer Number: **38834**

REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop: Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 14, 2005

Sir:

Please supply the undersigned attorney with a corrected filing receipt for the above-identified application. The undersigned also respectfully requests that the Patent and Trademark Office records be amended to reflect the correction.

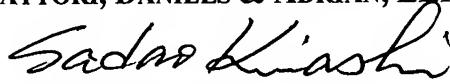
In reviewing the Official Filing Receipt, we noted an error in the second assignee name and the title. The second assignee name should read **--BARLEY FERMENTATION TECHNOLOGIES, INC.--** and the title should read **--Composition obtained from barley shochu stillage and having effects of inhibiting the onset of alcoholic liver injury and healing it as well as favourable taste, and process for producing the same--**. A copy of the Assignment and PCT Publication are enclosed which indicates the correct information. We are also enclosing a copy of the filing receipt with the corrections highlighted.

10/511,725
September 14, 2005
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If any fees are required in connection with this paper, please charge Deposit Account No.
50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



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Enclosures: Official Filing Receipt; Assignment; PCT Publication



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/511,725	10/19/2004	1614	1658	042872		26	6

38834
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW JUN 28 2005
SUITE 700
WASHINGTON, DC 20036

CONFIRMATION NO. 2520
FILING RECEIPT



OC000000016351144

Date Mailed: 06/23/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Toshiro Omori, Oita, JAPAN;
Naoki Takeshima, Oita, JAPAN;
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Assignment For Published Patent Application

SANWA SHURUI CO., LTD, Usa-shi, JAPAN
BARLEY FERMENTATION TECHNOLOGIES, INC., Usa-shi, JAPAN

-- N --

Power of Attorney: The patent practitioners associated with Customer Number 38834.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/04893 04/17/2003

Foreign Applications

JAPAN 2002-117431 04/19/2002
JAPAN 2002-117435 04/19/2002
JAPAN 2002-250991 08/29/2002
JAPAN 2002-250992 08/29/2002

Projected Publication Date: 09/29/2005

Non-Publication Request: No

Early Publication Request: No

Title

Composition obtained from barley shochu stillage and having effects of inhibiting the onset of alcoholic liver injury and healing it as well as favorable taste, and processing for producing the same

Preliminary Class

514

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U.S. ASSIGNMENT

(Insert ASSIGNEE's Name(s) Address(es))

IN CONSIDERATION of the sum of One Dollar (\$1.00), and of other good and valuable consideration paid to the undersigned inventor(s) (hereinafter ASSIGNOR) by
1) SANWA SHURUI CO.,LTD. of 2231-1, Oaza-Yamamoto, Usa-shi, Oita 879-0495 Japan
2) BARLEY FERMENTATION TECHNOLOGIES, INC. of 2211, Oaza-Yamamoto, Usa-shi, Oita 879-0467 Japan

(hereinafter ASSIGNEE), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest to the invention entitled

(Title of Invention)

**COMPOSITION OBTAINED FROM BARLEY SHOCHU STILLAGE AND HAVING
ACTIVITY OF INHIBITING ONSET OF ALCOHOLIC HEPATOPATHY AND
ACTIVITY OF HEALING IT AS WELL AS EXCELLENT PALATABILITY,...**

(*If the assignment is being filed after the filing of the application, this section must be completed)

for which application for Letters Patent of the United States was executed on even date herewith unless otherwise indicated below:

* filed on _____ Serial No. _____

(Westerman, Hattori, Daniels & Adrian, LLP is hereby authorized to insert the series code, serial number and/or filing date hereon, when known)

and all Letters Patent of the United States to be obtained therefore on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted.

The ASSIGNOR agrees to execute all papers necessary in connection with the application and any continuation, divisional, reissue or reexamination applications thereof and also to execute separate assignments in connection with such applications as the ASSIGNEE may deem necessary or expedient.

The ASSIGNOR agrees to execute all papers necessary in connection with any interference, litigation, or other legal proceeding which may be declared concerning this application or any continuation, divisional, reissue or reexamination thereof or Letters Patent or reissue patent issued thereon and to cooperate with the ASSIGNEE in every way possible in obtaining and producing evidence and proceeding with such interference, litigation, or other legal proceeding.

IN WITNESS WHEREOF, the undersigned inventor(s) has (have) affixed his/her/their signature(s).

(Signatures)

<u>大森俊郎</u> (Signature)	<u>Toshiro OMORI</u> (Type Name)	<u>21. 10. 2004</u> (Date)
<u>竹嶋直樹</u> (Signature)	<u>Naoki TAKESHIMA</u> (Type Name)	<u>21. 10. 2004</u> (Date)
<u>林圭</u> (Signature)	<u>Kei HAYASHI</u> (Type Name)	<u>21. 10. 2004</u> (Date)
<u>梅本泰史</u> (Signature)	<u>Yasufumi UMEMOTO</u> (Type Name)	<u>20. 10. 2004</u> (Date)
_____ (Signature)	_____ (Type Name)	_____ (Date)
_____ (Signature)	_____ (Type Name)	_____ (Date)

NO LEGALIZATION REQUIRED

(19) 世界知的所有権機関
国際事務局(43) 国際公開日
2003年10月30日 (30.10.2003)

PCT

(10) 国際公開番号
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特願2002-117431	2002年4月19日 (19.04.2002)	JP
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特願2002-250991	2002年8月29日 (29.08.2002)	JP
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(81) 指定国(国内): CN, KR, US.

(84) 指定国(広域): ヨーロッパ特許 (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR).

規則4.17に規定する申立て:

— USのみのための発明者である旨の申立て (規則4.17(iv))

添付公開書類:
— 国際調査報告書

2文字コード及び他の略語については、定期発行される各PCTガゼットの巻頭に掲載されている「コードと略語のガイドノート」を参照。

(54) Title: COMPOSITION OBTAINED FROM BARLEY SHOCHU STILLAGE AND HAVING EFFECTS OF INHIBITING THE ONSET OF ALCOHOLIC LIVER INJURY AND HEALING IT AS WELL AS FAVORABLE TASTE, AND PROCESS FOR PRODUCING THE SAME

(54) 発明の名称: 大麦焼酎蒸留残液から得られるアルコール性肝障害に対する発症抑制作用及び治癒作用を有し且つ優れた呈味性を有する組成物及びその製造方法

(57) Abstract: A composition having effects of inhibiting the onset of alcoholic liver injury and healing it which comprises an unadsorbed fraction obtained by subjecting a barley shochu stillage obtained as the by-product in the production of shochu from barley to solid/liquid separation and then subjecting the liquid fraction thus obtained to a separation treatment by adsorption, wherein the unadsorbed fraction contains plural peptides having an average chain length of from 3.0 to 5.0 and these peptides are composed of from 24 to 38% of glutamic acid, from 4 to 20% of glycine, from 5 to 10% of aspartic acid, from 4 to 9% of proline and from 4 to 8% of serine, referring the total amino acid content originating in these peptides as to 100%. A food composition comprising the above unadsorbed fraction and having a favorable taste.

A1

WO 03/088987

(57) 要約: 大麦を原料とする焼酎製造において副成する大麦焼酎蒸留残液を固液分離して液体分を得、該液体分を合成吸着剤を用いる吸着分離処理に付すことにより分取した非吸着画分からなり、該非吸着画分は、平均鎖長が3.0乃至5.0である複数種のペプチドを含有し、それらペプチドは該ペプチドに由来するアミノ酸総含量を100%としたときのアミノ酸組成が、グルタミン酸24乃至38%、グリシン4乃至20%、アスパラギン酸5乃至10%、プロリン4乃至9%、及びセリン4乃至8%であり、アルコール性肝障害に対する発症抑制作用及び治癒作用を有する組成物。前記非吸着画分からなる、優れた呈味性を有する食品用組成物。

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